

# House File 275 - Enrolled

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HOUSE FILE 275

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1 3 AN ACT  
1 4 RELATING TO THE PURCHASE, POSSESSION, OR CONSUMPTION OF  
1 5 ALCOHOL BY A PERSON UNDER LEGAL AGE, AND PROVIDING A  
1 6 PENALTY.  
1 7  
1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
1 9  
1 10 Section 1. Section 123.47, subsection 3, Code 2005, is  
1 11 amended to read as follows:  
1 12 3. a. A person who is under legal age, other than a  
1 13 licensee or permittee, who violates this section regarding the  
1 14 purchase of or attempt to purchase alcoholic liquor, wine, or  
1 15 beer, or possessing or having control of alcoholic liquor,  
1 16 wine, or beer, commits ~~a~~ the following:  
1 17 ~~(1) A simple misdemeanor punishable by a fine of one~~  
~~1 18 hundred dollars for the first offense as a scheduled violation~~  
~~1 19 under section 805.8C, subsection 7.~~  
1 20 ~~(2) A second or subsequent offense shall be a simple~~  
1 21 ~~misdemeanor punishable by a fine of two five hundred dollars~~  
1 22 ~~and the suspension of the person's motor vehicle operating~~  
~~1 23 privileges for a period not to exceed one year. In addition~~  
~~1 24 to any other applicable penalty, the person in violation of~~  
~~1 25 this section shall choose between either completing a~~  
~~1 26 substance abuse evaluation or the suspension of the person's~~  
~~1 27 motor vehicle operating privileges for a period not to exceed~~  
~~1 28 one year.~~  
1 29 ~~(3) A third or subsequent offense shall be a simple~~  
1 30 ~~misdemeanor punishable by a fine of five hundred dollars and~~  
1 31 ~~the suspension of the person's motor vehicle operating~~  
~~1 32 privileges for a period not to exceed one year.~~  
1 33 b. The court may, in its discretion, order the person who  
1 34 is under legal age to perform community service work under  
1 35 section 909.3A, of an equivalent value to the fine imposed  
2 1 under this section. ~~However, if~~  
2 2 c. If the person who commits ~~the~~ a violation of this  
2 3 section is under the age of eighteen, the matter shall be  
2 4 disposed of in the manner provided in chapter 232.  
2 5 Sec. 2. Section 805.8C, Code 2005, is amended by adding  
2 6 the following new subsection:  
2 7 NEW SUBSECTION. 7. ALCOHOL BEVERAGE VIOLATIONS BY PERSONS  
2 8 UNDER LEGAL AGE. For first offense violations of section  
2 9 123.47, subsection 3, the scheduled fine is two hundred  
2 10 dollars.  
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2 14 \_\_\_\_\_  
2 15 CHRISTOPHER C. RANTS  
2 16 Speaker of the House  
2 17  
2 18  
2 19 \_\_\_\_\_  
2 20 JOHN P. KIBBIE  
2 21 President of the Senate  
2 22  
2 23 I hereby certify that this bill originated in the House and  
2 24 is known as House File 275, Eighty-first General Assembly.  
2 25  
2 26  
2 27 \_\_\_\_\_  
2 28 MARGARET THOMSON  
2 29 Chief Clerk of the House  
2 30 Approved \_\_\_\_\_, 2005  
2 31  
2 32 \_\_\_\_\_  
2 33 THOMAS J. VILSACK  
2 34 Governor